

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

TRELLIS KYLE DAY,

Plaintiff,

v.

No. 4:24-cv-00512-P

AMAZON.COM SERVICES, LLC,

Defendant.

ORDER

The United States Magistrate Judge issued Findings, Conclusions, and a Recommendation (“FCR”) in this case, recommending that Plaintiff’s claims against Amazon.com Services, LLC, (“Amazon”) be dismissed. ECF No. 29. Plaintiff, appearing *pro se*, filed Objections to the FCR. ECF No. 30. After reviewing the FCR, the Objections, and the applicable law, the undersigned District Judge believes that the findings and conclusions of the Magistrate Judge are correct, and they are accepted as the findings and conclusions of this Court.

“To be cognizable, an objection must point out with particularity an error in the Magistrate Judge’s analysis. Failing that, it does not constitute a proper objection and will not be considered.” *Boland v. Vogel*, No. 4:24-CV-00834-P, 2024 WL 4942390, at *1 (N.D. Tex. Dec. 2, 2024) (citing FED. R. CIV. P. 72(b)(2); *Malacara v. Garber*, 353 F.3d 393, 405 (5th Cir. 2003); *Edmond v. Collins*, 8 F.3d 290, 293 n.7 (5th Cir. 1993)).

Plaintiff has not made a cognizable objection to the FCR. Plaintiff’s Objections restate some of the Magistrate Judge’s findings and the alleged facts of the case. Additionally, the Objections state that “[i]t is the Plaintiff’s belief the Defendant here tries to ‘mislead’ the court.” ECF No. 30 at 8; *see also* 10 (“[t]he defendant should not be allowed to speculate on the Plaintiff’s medical condition, recovery from it, or the overall pain that was beared [sic]. . . .”). However, Plaintiff does not

object to any specific part of the Magistrate Judge's analysis. Therefore, because Plaintiff has failed to bring forward a cognizable objection, the Court reviewed the FCR for plain error. Finding none, the undersigned believes that the FCR is correct, and hereby accepts it as the findings and conclusions of the Court.

For the reasons stated in the Magistrate Judge's FCR, the Court finds that Plaintiffs' claims against Amazon should be dismissed. Consequently, The Court **ADOPTS** the reasoning in the Magistrate Judge's FCR, **GRANTS** Amazon's Motion (ECF No. 24), and **ORDERS** that Plaintiff's claims against Amazon be **DISMISSED with prejudice**.

SO ORDERED on this **21st day of January 2025**.

A handwritten signature in dark ink, reading "Mark T. Pitman", is written over a horizontal line.

MARK T. PITTMAN
UNITED STATES DISTRICT JUDGE